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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/733,392	12/07/2000	Richard Alan Haase	0170SS-45347	7432

7590 01/08/2002

ROBERT M. BOWICK
THE MATTHEWS FIRM
1900 WEST LOOP SOUTH
SUITE 1800
HOUSTON, TX 77027

EXAMINER

BARRY, CHESTER T

ART UNIT PAPER NUMBER

1724

DATE MAILED: 01/08/2002

FEB 1 2002

Please find below and/or attached an Office communication concerning this application or proceeding.

09/733,392-010802

MERGED REISSUE
Ex Parte Reexamination Interview Summary

Control No. 90/005,710 / 09/733392	Patent Under Reexamination 5846435
Examiner Chester T. Barry	Art Unit 1724

All participants (USPTO personnel, patent owner, patent owner's representative):

(1) Chester T. Barry

(3) _____

(2) Bill Johnson

(4) _____

Date of Interview: 03 January 2002

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☒ Personal (copy given to: 1) ☐ patent owner 2) ☒ patent owner's representative)

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.
Any other agreement(s) are set forth below under "Description of the general nature of what was agreed to..."

Claim(s) discussed: NONE.


Identification of prior art discussed: NONE.

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:
See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims patentable, if available, must be attached. Also, where no copy of the amendments that would render the claims patentable is available, a summary thereof must be attached.)

A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION MUST INCLUDE PATENT OWNER'S STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. (See MPEP § 2281). IF A RESPONSE TO THE LAST OFFICE ACTION HAS ALREADY BEEN FILED, THEN PATENT OWNER IS GIVEN **ONE MONTH** FROM THIS INTERVIEW DATE TO PROVIDE THE MANDATORY STATEMENT OF THE SUBSTANCE OF THE INTERVIEW (37 CFR 1.560(b)). THE REQUIREMENT FOR PATENT OWNER'S STATEMENT CAN NOT BE WAIVED. **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).**

cc: Requester (if third party requester)

1/3/02 
Examiner's signature, if required

Continuation of Description of the general nature of what was agreed to if an agreement was reached, or any other comments: MR JOHNSON TELEPHONED THE EXAMINER STATING THAT HE HAD RECEIVED FROM THE PATENT OWNER A COPY OF A PAPER FROM THE PTO SETTING A 30 DAY PERIOD FOR RESPONSE. BUT DID NOT KNOW THE MAIL DATE OF THE PAPER. UPON REVIEWING THE MERGED PROCEEDING FILES, THE EXAMINER TOLD MR JOHNSON THAT IN REEXAM 90/005710, A "NOTICE OF DEFECTIVE PAPER" SETTING A 30 DAY RESPONSE PERIOD WAS MAILED FROM THE PTO ON DEC. 10, 2001, BUT WAS IMPROPERLY MAILED TO THE PATENT OWNER'S PREVIOUS ATTORNEY NOTWITHSTANDING THE POWER OF ATTORNEY TO BOBBY BOWICK ET AL. AND CHANGE OF CORRESPONDENCE ADDRESS TO THE MATTHEWS FIRM ADDRESS (PAPER 16). THE CHANGES WERE ACKNOWLEDGED BY THE PTO ON 9/12/01 (PAPER 17).

FURTHERMORE, THAT IN REISSUE 09/733392 OF THE MERGED PROCEEDING, THE SAME NOTICE WAS MAILED ON DEC. 11, 200 [sic], TO PROPERLY THE PATENT OWNER FOR WANT OF THE OWNER OR HIS ATTORNEY TO FILE A COPY OF THE POWER OF ATTORNEY AND CORRESPONDENCE ADDRESS CHANGE MARKED WITH THE REISSUE SERIAL NUMBER, I.E., "09/733392."

AFTER CONSULTATION WITH WILLIAM KRYNSKI, TC 1700 SPECIAL PROGRAM EXAMINER, THE EXAMINER DECIDED - IN VIEW OF THE OFFICE'S MISTAKE IN MAILING THE REEXAM NOTICE TO THE WRONG ADDRESS AND ANY CONFUSION WHICH MAY HAVE RESULTED FROM NOT HAVING MAILED THE TWO NOTICES ON THE SAME DAY - TO RESTART THE PERIOD FOR RESPONSE TO THE NOTICE OF DEFECTIVE PAPER IN BOTH THE REEXAM 90/005710 AND REISSUE 09/733392, SUCH PERIOD TO COMMENCE WITH THE PTO'S FORTHCOMING RE-MAILING OF SAID PAPERS. THE NOTICES MAILED ON 12/10/01 AND 12/11/01 ARE HEREBY VACATED.

THE EXAMINER REQUESTED THAT MR JOHNSON FILE AS SOON AS POSSIBLE - PREFERABLY TODAY - VIA THE EXAMINER'S FAX MACHINE A POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS MARKED "09/733392" FOR ENTRY INTO THE REISSUE OF THIS MERGED PROCEEDING. *REC'D IN PTO 1/3/02 (CTB)*

A COPY OF THIS INTERVIEW SUMMARY WAS FAXED TO MR JOHNSON TO PROVIDE SECURITY TO THE PATENT OWNER THAT NO RESPONSE TO EITHER THE NOTICE MAILED 12/10/01 OR 12/11/01 WILL BE NECESSARY, BUT THAT THE OWNER SHOULD EXPECT TO RECEIVE A PAIR OF SUBSTANTIALLY IDENTICAL NOTICES IN THE VERY NEAR FUTURE UPON THE PTO'S RE-MAILING OF THE SAME TO THE CORRECT ADDRESS..

* By 1/10/02 (CTB 1/3/02)